



California Regional Water Quality Control Board

Los Angeles Region



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Secretary for
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Edmund G. Brown, Jr.
Governor

Draft Meeting Minutes

Los Angeles Regional Water Quality Control Board
November 10, 2011 Board Meeting
State of California
(Carmel Room)
320 W. 4th Street
Los Angeles, California

Meeting called to order at 9:08

Pledge of Allegiance.

Item 1. Roll Call

Board Members Present: Steve Blois, Fran Diamond, Madelyn Glickfeld, Mary Ann Lutz, Charles Stringer, and Maria Mehranian

Board Members Absent: None.

Staff Present: Sam Unger, Deborah Smith, Dr. Rebecca Chou, Paula Rasmussen, Dr. Yue Rong, Ronji Moffett, Jennifer Fordyce, Frances McChesney, Sarah Olinger, Alex Carlos, David Hung, Renee Purdy, Dr. Arthur Heath, Dr. Ginachi Amah, Thomas Siebels, Cassandra Owens, Dr. Eric Wu, Ann Lin, Mazhar Ali, Michael Lyons, Rebecca Christmann, Rebecca Viega-Nascimento, Dr. Weixing Tong

Individuals whose Names Appear on the Sign-In Sheet and/or Speaker Cards

Ms. Jennifer Brown, City of Malibu	Mr. Mack Walker, Latham & Watkins
Mr. Robert Vega, City of L. A. Public Works San.	Ms. Susan Reyes, Rep. Senator Ed Hernandez
Ms. Judith Fries, County of Los Angeles	Mr. Anthony Arevalo,, City of Long Beach
Ms. Rachel McPherson, Port of Los Angeles	Mr. Jason Wen, City of Downey
Ms. Claudia Goytia, Rep. Assembly member Roger Hernandez	Mr. Noah Garrison, National Resources Defense Council
Mr. Wes Gauter, PG Environmental, LLC	Ms. Angela George, L.A. County Flood Control Dist.
Ms. Lauren Langer, Jenkins & Hugin	Ms. Miriam Sykes, Glendale Water & Power
Mr. Drew Beck, Psomas	Ms. Susie Santilena, Heal the Bay
Ms. Patricia Elkins, City of Carson	Mr. Donald Ton, L.A. County Sanitation District

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Mr. Dan Pankau, City of Calabasas	Mr. Daniel S. Wau, City of Whittier
Ms. Kathleen King, L.A. County Dept. Beaches and Harbors	Mr. John Beshay, City of West Covina
Mr. Blake Whittington, Council for Watershed Health	Ms. Gladis Deras, City of Pico Rivera
Ms. Rene Guerrero, City of Pico Rivera	Mr. Cody Howing, RKA Consulting
Mr. Mark Pumford, City of Oxnard	Ms. Claudia Aichman, City of Vernon
Mr. Jerrick Torres, City of Vernon	Ms. Gina Nila, City of Commerce
Mr. Steve Miller, Lubricating Specialties Co.	Ms. Joesetta Descalto, City of Beverly Hills
Ms. Vivian Castro, City of Covina	Ms. Lisa Bugrova, City of San Dimas
Mr. Sean Sullivan, City of Rosemead	Ms. Julie Carver, City of Pomona
Mr. John Hunter, John Hunter & Associates	Mr. David Dolphin, City of Alhambra
Mr. Tom Davis, Davis Consulting Services	Mr. Ken Barizer, United Rock Products
Mr. Kaden Young, City of Culver City	Mr. Daniel Bobadilla, City of Azusa
Mr. Stan Chen, Stetson Engineers	Mr. Hakeem Said, L.A. County DPW
Mr. Geremew Amenu, L.A. County DPW	Ms. Heather Maloney, City of Monrovia
Ms. Julie Hegvold, City of Lawndale	Mr. Gary Hildebrand, L.A. County DPW
Ms. Wendy La, Watermaster	Mr. Tom Tuia, City of Arcadia
Ms. Vanessa Hevener, City of Arcadia	Ms. Brittany Chen, UCLA
Ms. Kirsten James, Heal the Bay	Mr. Corey Harpole, Newhall Land
Mr. Brian Enriquez, City of El Monte	Mr. Jami Strigel, EKI Consulting
Mr. James Carlson, City of Sierra Madre	Ms. Donna Chen, City of Los Angeles
Ms. Sariha Mordes-Chate, City of Santa Fe Springs	Ms. Ruby Wang, county of Los Angeles Flood Control District
Ms. Janet Livesey, LA County DPW	Ms. Teresa Renteria, City of Duarte
Mr. Youn Sim, L.A. County DPW	Mr. Randal Curtis, City of Los Angeles
Mr. John Dimario, City of La Puente	Mr. Mark Lambos, L.A. County Flood Control Dist.
Mr. Christ Kirikien, L.A. County Flood Control	Ms. Kathleen McGowan, Consultant
Ms. Karen Lovan, Larry Walker Associates	Mr. Oliver Cramer, City of Santa Clarita
Mr. Chan Vu, City of Bell Gardens	Mr. Daniel Apt, RBF Consulting
Mr. Joe Bellomo, Cities of Agoura Hills & Westlake Village	Mr. Matt Carpenter, Newhall Land
Ms. Liz Crosson, Santa Monica Baykeeper	Mr. Tony Omphenour, City of Burbank
Ms. Latoya Cyrus, Rep. City of Hidden Hills	Mr. Barme Newards, City of Inglewood
Ms. Lauren Amimoto, City of Inglewood	Ms. Shirley Pak, Caltrans
Mr. Ed Suher, AEI-CASC, Rep. City of Industry	Mr. Willhans II, Rep. self
Ms. Heather Merenda, City of Santa Clarita	Ms. Aracely Lasso, L.A. County DPW
Mr. Frank Wu, L.A. County DPW	Mr. Vaiko Allen, Contech
Ms. Sheila Kennedy, Entact Solutions	Mr. Kosta Kaporis, City of Los Angeles
Mr. John Dettle, City of Torrance	Mr. Guangu Wang, Santa Monica Bay Restoration
Ms. Nina David, Ujima Village	Mr. Steve Pederson, City of L.A. WPD
Ms. Elaine Jeng, City of Redondo Beach	Mr. Adam Ortega, WCP/ACVA
Mr. Eric Mosolgo, Brown & Caldwell	Mr. Bernardo Iniguez, City of Bellflower
Mr. Daren Gilley, City of San Gabriel	Mr. David Kimbrough, Pasadena Water & Power
Mr. Randy Scheellerman, San Gabriel Basin WQA	Mr. Daniel Rynn, City of Burbank
Mr. Jeff Carter, United Water Services, Inc.	Mr. Alvin Cruz, City of Burbank

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Ms. Ann Heil, L.A. County Sanitation District	Mr. Willie Mitchell, Representing self
Ms. Dominique Nicole Tanner, Representing self	Mr. Donald Brown, Representing self

Item 2. Order of Agenda.

The Executive Officer asked that the Draft Minutes for October 6, 2011 meeting be continued, and that Item 4, adoption of the 2012 calendar to be heard following the closed session lunch break.

Item 5. Board Member Communications.

There were no communications that constituted disclosure.

Item 6. Executive Officer's Report

Report and Addendum Report was given to the Board. The Report was posted on the Board's website: www.swrcb.ca.gov/~rwqcb4/html/eo_reports/eo_reports.html

Item 7. Enforcement Report. (Paula Rasmussen)

There was no Report for this meeting.

Item 8. Update from State Board.

There was no Report for this meeting.

Item 9. Public Forum.

- Mr. Donald Brown, Representing self (*re: Ujima Village and illnesses in family, believed to be due to contaminants at Ujima*)
- Mr. Willie Mitchell, Representing self (*re: Ujima Village; spoke of mother's cancer; believed to be due to contaminants at Ujima.*)
- Ms. Dominique Nicole Tanner, Representing self (*re: Ujima Village; spoke of her birth defect; believed to be due to contaminants at Ujima.*)
- Ms. Ebonizha Jackson, Representing self (*re: Ujima Village; spoke of her grandmother having breast and lung cancer, and expressed that she blames the Ujima Village contamination for her grandmother's illness.*)
- Mr. Mark Pumford, City of Oxnard (*Information update on Public Outreach efforts, and Appreciation*)
- Mr. Mark Lombos, LA County Flood Control District (*Updates on the Strathern Wetlands Park Projects concept in the works*)

Approval of Uncontested Calendar.

Executive Officer Sam Unger announced the Consent items as follows: Items 10, 11.1, 11.2, 12, and 13.

MOTION: To deem non-controversial and approve Agenda Item(s): Items 10, 11.1, 11.2, 12, and 13.

First: Vice Chair Mary Ann Lutz

Second: Board Member Maria Mehranian

Vote: Approved by unanimous vote

Item 14. Consideration of a proposed amendment to the Basin Plan to administratively update “Chapter 2: Beneficial Uses” by incorporating previously adopted amendments, and updated surface and groundwater maps and corresponding beneficial use tables.

Staff Report by: Dr. Ginachi Amah, and Mr. Thomas Siebels (*During their joint presentation, the following points were made.*)

- This is the first non-regulatory amendment since adoption of the 1994 Basin Plan
- Discussed Beneficial Uses and designations
- Discussed Water Quality Objectives
- Discussed components of the Administrative Update such as previously adopted amendments and the updated maps and the beneficial use tables
- Modification of REC Use in Ballona Creek Reaches 1 & 2
- Removed swimmable component of potential REC-1 use for both reaches
- REC 1 has a fishable and a swimmable component
- Talked about the GIS Date Updates since 1994 through 2011
- Updated all 22 maps in Chapter 2
- Analyzed and updated surface water features and groundwater features
- Updated the tables in Chapter 2
- Made improvements to beneficial use tables
- There were seven interested party comments received
- The County of L.A. commented on previously adopted changes to Beneficial Uses
- County Sanitation Districts commented that some sub-basins were not outlined in the updated maps

Public Comment:

- Mr. John Hunter, Rep. Reach 1 Technical Committee
- Ms. Ann Heil, Sanitation Districts of Los Angeles County
- Mr. Mark Pumford, City of Oxnard

Board Comments:

- Clarification as to why storm drain waters are not included on the maps?
- Is Los Cerritos subject to the L.A. River TMDL?
- Requested the Board members receive the new and updated information for the Basin Plan

MOTION: To approve the proposed amendment to Chapter 2 with the Change Sheet.

First: Board Member Madelyn Glickfeld

Second: Board Member Charles Stringer

Vote: Approved by unanimous vote

Item 15. Update on the State Water Board Groundwater ambient Monitoring and Assessment (GAMA) Program, and overview of the GeoTracker GAMA groundwater information system.

Staff Report. Mr. John Borkovich, Groundwater Ambient Monitoring Assessment (GAMA) Program Manager at the State Water Resources Control Board. (*Mr. Borkovich made, but was not limited to the following points, during his presentation.*)

- Gave overview on status of GAMA Program.
- Created for concern of the Legislature and the public about groundwater quality and the Budget Act in 2000
- This program makes available groundwater quality and groundwater monitoring information to the public
- GAMA coordinates with other water agencies, collecting new data
- The program has four current active programs, Priority Basins Project, GeoTracker GAMA, Special Studies Project, and Domestic Well Project
- There are over 100 million analytical results in the database (broken down by County)

Item 4. Adoption of tentative 2012 Board Meeting Schedule

The 2012 Board meeting schedule was approved for the months of January through April. The remaining tentative dates will be on the agenda for the December 8th Board meeting to be approved by the Board.

Closed Session taken at 12:20 pm

Reconvened at 1:50 pm

Item 16. Workshop on the Issuance of a new Los Angeles County Municipal Separate Storm Sewer System (MS4).

Chair Diamond noted that Board Member Lutz left the meeting because she is recused from the Los Angeles County MS4 permit

Staff Report. Ms. Renee Purdy, Chief of Regional Programs, and Mr. Ivar Ridgeway, Stormwater Permitting Unit Chief. *(Ms. Purdy, and Mr. Ridgeway made, but were not limited to the following points in their joint presentation.)*

- The L.A. County MS4 Permit is one of the most important permits issued by the Regional Board
- Gave background on MS4 Permit and status of permit development
- This update is fourth generation of the MS4 Permit
- The updated permit is scheduled for 2012
- Discussed the objectives for the permit
- Discussed the status and outreach efforts
- Regional Board staff have met with several stakeholders and a number of cities
- Scheduled to produce a draft permit for March 2012
- Plan to produce the tentative Permit for Board consideration in May 2012
- Staff has considered input on the permit
- Discussed staff structure and alternatives
- Flood control district encompasses over 3000 square miles
- 85 percent of stakeholders support a single MS4 permit or watershed based permits
- A small number support alternative groupings
- TMDL provisions were discussed
- Staff is expecting to propose a single MS4 permit with watershed-based chapters. Staff will continue to propose that the City of Long Beach have its own permit, which it has had since

1999, because it has a well established and robust individual stormwater management program as well as monitoring and reporting program

- Discussed Minimum Control Measures required to be included in a permittee's stormwater management program
- Proposing Numeric Effluent Limitations and action-based compliance demonstration
- The Regional Board previously established numeric effluent limitations for the L.A. River Trash TMDL
- Considering a Dual-Path Requirement
- Discussed Receiving Water Limitations (RWL)
- Discussed Water Quality Based Effluent Limitations (WQBELs)
- Numeric WQBELs derived from WLAs
- Gave a summary of the 'Path Forward'

Public comment:

- Councilmember Willhans Ili, City of South El Monte (*Requested an extension from March 2012 to December 2012; indicated that additional time is needed to review and to adopt permit*)

Others that agreed that there is additional time needed to review the permit and requested an extension is as follows:

- Ms. Susan Reyes, Representing Senator Ed Hernandez
- Mr. Darren Grilley, City of San Gabriel
- Mr. Jose Espinoza, City of Gardena
- Mr. Shawn Hagerty, City of Claremont
- Ms. Sarina Morales, City of Santa Fe Springs
- Mr. C.A. Alba
- Mr. Daniel Wall, City of Whittier
- Mr. John DiMario, City of La Puente
- Ms. Lisa Bugrava, City of San Dimas
- Ms. Vivian Castro, City of Covina
- Mr. John Beshay, City of West Covina
- Ms. Julie Hegvold, City of Lawndale
- Mr. Rene Guerrero, City of Pico Rivera
- Mr. Ed Suher, City of Industry
- Mr. Ron Ruiz, City of San Fernando
- Mr. Jerrick Torres, City of Vernon
- Mr. James Enriquez, City of El Monte
- Mr. Michael Shai, City of Redondo Beach

The Following Speakers asked that their Cities be issued Individual Permits:

- Mr. John Oskoui, City of Downey (*Statement read by Mr. John Hunter, "Requests an Individual Permit"*)
- Mr. Steve Myrter, City of Signal Hill

L.A. Permit Group (Joint presentation):

Ms. Heather Maloney

- Requests additional time for collaboration with other cities 8- plus municipalities

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Recycled Paper

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- Proposing extended time until December 2012
- There are funding challenges
- Believe the permit should be based on existing resources and sound science

Ms. Heather Merenda

- Want to assure that iterative approach is retained
- WLA attainment through BMPs
- Integrated Watershed approach will also help achieve goal

Mr. John Dettle

- Requested that current reporting be streamlined
- Asks that permit be economically reasonable
- Supports the iterative process

Other Interested Parties:

Mr. Sharam Kharaghani, City of Los Angeles

- Gave update on the City's Green Project(s)
- Discussed Public Agency activities
- Low Impact Development (LID)
- Proposition 'O' has helped City of Los Angeles
- Discussed TMDLs and Green Strategy

Mr. Ray Tahir, Representing Cities of Compton, Duarte, Irwindale, Et al

- The Cities believe the adoption date is too soon
- Conflict between the TMDL and the permit. If the Regional Board places a compliance point at the outfall, this would conflict with the TMDL's placement of the compliance point in the receiving water.
- Requests the Regional Board consult with the State Board's Office of Chief Counsel to resolve the conflict by issuing a memo
- Disagrees with non-storm water discharge prohibition
- Believes more discussion with staff is needed on WQBELs

Ms. Patricia Elkins, City of Carson

- Requests additional time

Mr. Gary Hildebrand, and Mr. Mark Lombos, Rep. Los Angeles County Flood Control District

- Submitted ROWD for its own individual permit
- Believe the district is a special district and different from all other permittees
- Does not have authority over land and not able to control sources of pollutants put into the system
- Have limited ability to control storm water pollutants
- Implementing its own Storm Water Management Plan
- Recent court decision renders that meeting standards it impossible
- Has concerns with joint liability



- Joint liability discourages collaboration among permittees
- Believes that Cities should be individually responsible

Joint Presentation by Dr. Mark Gold, Heal the Bay, Liz Crosson, Santa Monica Baykeeper, and Noah Garrison, Nation Resources, Defense Council (NRDC):

Dr. Mark Gold

- Gave history background of the Stormwater permit
- There has been no implementation of the 'iterative' process
- There has been no enforcement of the iterative process
- Disagree with the requests for extensions (permit is already years late)
- Stormwater is causing water quality impairments throughout California
- Believe that WLAs are needed in the permit
- Believe that Bioassessment is necessary
- Believe there should be beach monitoring, and bacteria monitoring on a weekly basis
- Support the permit and believe the permit should include all monitoring requirements as discussed in adopted TMDLs

Ms. Liz Crosson

- Made suggestions for permit requirements
- Believes the receiving water limitations should be left 'as is'
- Believe that Compliance Monitoring needs improvement for clarity
- Do not believe that the Regional Board should implement "Action Levels"

Mr. Noah Garrison

- Discussed Low Impact Development
- Concerned about the use of biofiltration; Believes the permit should require retention of stormwater on-site
- LID is fiscally and environmentally beneficial

Mr. John Kemmerer, Rep. USEPA

- Indicated he has concerns with breaking up the permit into individual permits

Board questions and concerns:

- *(Comment by a Board member) Main issue of permit is time. Consider the costs of implementing to various cities. Asked permittees to help educate staff and the board of the costs of implementation. Asked that we do not be absolutely rigid, and issue the draft in March 2012, and get a consensus and see what time is needed, and if so, extend it.*
- *A member expressed disappointment that LA County Flood Control District has decided not to be the Principal Permittee because they are an entity that has the capability of doing the kind of monitoring that is needed*
- *Expressed concerns about need to incorporate the beach bacteria TMDLs, but sensitivity to the time issue*
- *Asked for feedback from staff on the issue of 'structure'*
- *One member expressed that the timing of this permit is very important because the permit is long overdue, and expressed support for the deadline as set by staff*

- *Board would like to be informed of workshops, so that Board members can have the opportunity to attend*
- *Do not want to see any more kids surfing without an enforceable permit this summer*

(For more detailed information on any matter at this meeting, you may contact Ronji Moffett at (213) 576-6612 or rmoffett@waterboards.ca.gov and she may provide an electronic copy of the transcript or audio.)

The meeting was adjourned at 5:43 pm.

Written and submitted by: _____, then finalized on
Ronji R. Moffett

